

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 4:12-CR-228**
:
v. : **(Judge Conner)**
:
THOMAS EDWARD SMITH :

ORDER

AND NOW, this 23rd day of July, 2013, upon consideration of the defendant's motion (Doc. 67) for disclosure of Brady and Giglio material on or before July 22, 2013, the government's motion (Doc. 70) *in limine* to restrict references to a state criminal proceeding, the defendant's motion (Doc. 73) *in limine* to exclude evidence of prior convictions, and the defendant's motion (Doc. 77) *in limine* to exclude evidence of the Ruger gun case, and, after a telephone conference with the parties, it appearing that the government does not contest the defendant's motion (Doc. 73) *in limine* to exclude evidence of prior convictions, and that the motion (Doc. 70) *in limine* to restrict references to a state criminal proceeding is rendered moot based on a discussion with the parties, it is hereby ORDERED that:

1. The defendant's motion (Doc. 67) for disclosure of Brady and Giglio material is GRANTED in part and DENIED in part. The government shall provide the defendant with the relevant material on July 31, 2013.
2. The government's motion (Doc. 70) *in limine* to restrict references to a state criminal proceeding is DENIED as moot.
3. The defendant's motion (Doc. 73) *in limine* to exclude evidence of prior convictions is GRANTED.

4. If necessary, defendant shall file a reply brief regarding his motion (Doc. 77) *in limine* to exclude evidence of the Ruger gun case on or before Friday, July 26, 2013.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge